**THE HON'BLE Ms. JUSTICE G. ROHINI**

**WRIT PETITION No.8057 OF 2006**

**ORAL ORDER:**

The petitioner is holding a TFT licence in respect of Counter No.4 of Gamjal village. By order dated 10.3.2006, the 2nd respondent herein, suspended the licence of the petitioner with immediate effect, pending enquiry into the alleged adulteration of toddy. In the said order, it was stated that on 6.1.2006, the Assistant Prohibition & Excise Superintendent, Adilabad, inspected the toddy shop of the petitioner and though in the spot test no offence could be found, the sample sent to the Chemical Examiner through the Court was found to be adulterated with Chloral Hydrate, which is an offence punishable under Section 37 (a) of the A.P. Excise Act, 1968. On the very same day, a show cause notice was also issued to the petitioner calling upon him to explain as to why his licence should not be cancelled for committing the offence of adulterating toddy with Chloral Hydrate, which is injurious to health of consumers, and for contravention of statutory rules. The petitioner states that the said allegations are incorrect and without any basis and, accordingly, he submitted his explanation on 11.4.2006.

This Court while directing notice to the respondents, by order dated 21.4.2006 granted interim suspension of the order of suspension dated 10.3.2006, however, it was left open to the respondents to proceed with the enquiry.

I have heard the learned counsel for both the parties, and perused the material on record.

From the counter-affidavit filed on behalf of the respondents, it is clear that the enquiry initiated against the petitioner is still pending. In the circumstances, though the learned counsel for the petitioner raised various contentions assailing the impugned proceedings, I am not inclined to express any opinion on merits. It is for the 2nd respondent to complete the enquiry and to record a finding as to the correctness of

the allegations made against the petitioner.

In the circumstances, without expressing any opinion on merits, the writ petition is disposed of with a direction to the 2nd respondent to complete the enquiry initiated against the petitioner and pass appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. Till such time, the order of suspension dated 10.3.2006, shall not be given effect to. No costs.

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**(G. ROHINI, J.)**

31st July, 2006.
Kgr

**THE HON'BLE Ms. JUSTICE G. ROHINI**

**WRIT PETITION No.8057 OF 2006**

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31st July, 2006.

Between:

N. Rajesh Goud. .. Petitioner.

And

Commissioner of Prohibition and Excise,
Andhra Pradesh, Hyderabad
and two others. .. Respondents.